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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,762	03/24/2004	Mark W. Triplett	04-258	4274
39310 7590 09/21/2009 MBHB/TRADING TECHNOLOGIES 300 SOUTH WACKER DRIVE SUITE 3200 CHICAGO, IL 60606				
EXAMINER				
VEZERIS, JAMES A				
ART UNIT		PAPER NUMBER		
3693				
NOTIFICATION DATE		DELIVERY MODE		
09/21/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@mbhb.com
williamsd@mbhb.com

**Supplemental
Notice of Allowability**

Application No.

10/807,762

Examiner

JAMES A. VEZERIS

Applicant(s)

TRIPLETT, MARK W.

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to conversations with Monika Miller.
2. ☒ The allowed claim(s) is/are 1-6, 8-17 and 20-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

EXAMINER'S AMENDMENT- Supplemental Action

1. This amendment is in response to communication with Monika Miller, wherein the allowed claim language was discussed, and it was agreed that a supplemental examiner's amendment would be entered to clarify a few dependant claims. No new matter is entered, nor is the scope of the invention changed by the following amendment.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Monika Dudek on 8/26/2009.

1. (Currently Amended) A method for sending an order to an electronic exchange, the method comprising:
 - receiving, via a computer device, a command representing an order request that comprises an order to buy or sell a quantity of a tradeable object at a particular price;
 - temporarily holding the order request in a memory unit such that the order request is not sent to a matching engine at the electronic exchange until a preset rate of trades occurring at one or more prices to buy or sell the tradeable object is detected, wherein the preset rate of trades is based on an order quantity traded at the one or more prices;
 - receiving, via a computing device, market data comprising quantity and price information relating to the tradeable object being traded at the electronic exchange;
 - using the market data to determine, via a computing device, a rate of trades occurring at the one or more prices to buy or sell the tradeable object at the electronic exchange;

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comparing the rate of trades to the preset rate of trades; and
automatically releasing the order request to the matching engine at the electronic exchange ~~when the specific event is detected~~ upon detecting the preset rate of trades.

8. (Currently Amended) The method of claim 1 further comprising displaying a first type of order indicator representing the order request at a first time, wherein the first time represents a time before the ~~event~~ preset rate of trades is detected.

9. (Currently Amended) The method of claim 8 further comprising displaying a second type of order indicator representing the order request at a second time, wherein the second time represents a time after the ~~event~~ preset rate of trades is detected, and wherein the first type of order indicator is no longer displayed.

10. (Currently Amended) The method of claim 8 further comprising modifying the first type of order indicator into a second type of order indicator representing the order request at a second time, wherein the second time represents a time after the ~~event~~ preset rate of trades is detected.

13. (Currently Amended) The method of claim 8 wherein the first type of order indicator indicates the preset rate of trades ~~specific event~~.

20. (Currently Amended) The method of claim 17 further comprising displaying a first type of order indicator representing the order request at a first time, wherein the first time represents a time before the ~~event~~ preset rate of trades is detected.

21. (Currently Amended) The method of claim 20 further comprising displaying a second type of order indicator representing the order request at a second time, wherein the second time represents the time after the ~~event~~ preset rate of trades is detected.

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25. (Currently Amended) A method for sending an order to an electronic exchange, the method comprising:

receiving, via a computer device, a command representing an order request to buy or sell a quantity of a tradeable object at a particular price;

displaying at a user terminal a first type of indicator representing the order request;

refraining from sending the order request to a matching engine at the electronic exchange until a preset rate of trades occurring at one or more prices to buy or sell the tradeable object is detected, wherein the preset rate of trades is based on an order quantity traded at the one or more prices;

receiving, via a computer device, market data comprising quantity and price information relating to the tradeable object being traded at the electronic exchange;

using the market data to determine, via a computer device, a rate of trades at the one or more prices for the tradeable object at the electronic exchange;

comparing, via a computer device, the rate of trades to the preset rate of trades;

forwarding the order request to the matching engine at the electronic exchange upon detecting the preset rate of trades; and

displaying at a user terminal a second type of indicator representing the order request, wherein the first type of indicator represents the order request at a first time which represents a time before the event preset rate of trades is detected and the second type of indicator represents the order request at a second time which represents a time after the event preset rate of trades is detected.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693

/JAMES A VEZERIS/
Examiner, Art Unit 3693

9/4/2009